

JUDGE SWEET

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Carolyn Williams,

Plaintiff,

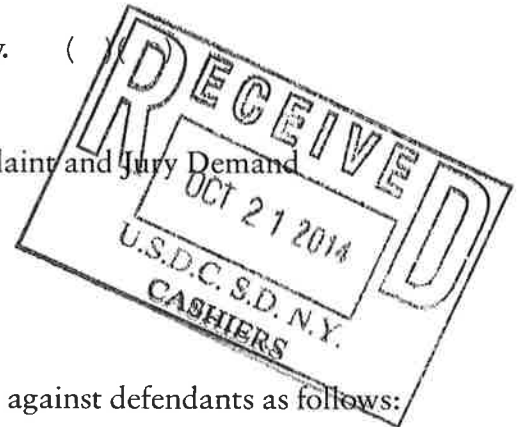
- against -

The City of New York and John Does 1-10,

Defendants.

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Complaint and Jury Demand



Plaintiff, by his attorney, Michael G. O'Neill, complains against defendants as follows:

1. This is an action alleging violation of plaintiff's right to be free of unreasonable search and seizure guaranteed to her by the 4th Amendment of the United States Constitution.

2. Jurisdiction is proper under 28 U.S.C. §1331, 28 U.S.C. §1343 and 42 U.S.C. §1983.

3. Venue is proper in that one or more defendants is a resident of the Southern District of New York.

4. Plaintiff is a natural person.

5. The defendant The City of New York ("City") is municipal corporation organized and existing under the laws of the State of New York.

6. Upon information and belief, at all times relevant to this complaint defendants John Does 1-10 (hereinafter, the "Does") are natural persons employed as members of the New York City Police Department by the defendant The City of New York.

7. On July 25, 2013, at about 7 pm, plaintiff was lawfully standing on the corner

of Herkimer Street and Sackman Street in the County of Kings, City and State of New York.

8. An NYPD police van approached plaintiff's location and stopped.

Approximately six NYPD officers (the "Does" 1-6) exited the van.

9. Then, upon information and belief, two or more of the Does frisked plaintiff and placed her under arrest.

10. During the course of the arrest, one or more of the Does, through the use of excessive and unreasonable force, fractured plaintiff's finger.

11. The plaintiff was taken to a police precinct where she was processed and held.

12. Charges against plaintiff were ultimately dismissed.

First Claim

13. One or more of the "Does" violated plaintiff's right under the 4th amendment to the United States Constitution to be free of unreasonable search and seizure when they arrested and detained the plaintiff without probable cause.

Second Claim

14. One or more of the "Does" violated plaintiff's rights under the 4th amendment to the United States Constitution by using excessive and unreasonable force to effectuate plaintiff's arrest causing plaintiff to sustain injury.

Third Claim

15. The City of New York disregarded the Constitutional rights of its citizens by maintaining an informal policy whereby the arrest and detention of certain citizens in "high

crime” neighborhoods without probable cause was encouraged as a crime fighting measure.

The plaintiff was wrongfully subjected to this arbitrary policy and its effects.

WHEREFORE, plaintiff demands judgment for all relief permitted by law, including but not limited to awarding plaintiff a money judgment for his damages, awarding plaintiff punitive damages, awarding plaintiff pre-verdict, post-verdict and prejudgment interest and costs, awarding to plaintiff a statutory attorneys' fee and granting such further and additional relief as the Court deems just and appropriate under the circumstances.

Dated: New York, New York
October 21, 2014

MICHAEL G. O'NEILL
(MO3957)



By: Aaron N. Solomon (AS4558)
Attorneys for Plaintiff
30 Vesey Street, Third Floor
New York, New York 10007
(212) 581-099

Jury Demand

Plaintiff demands trial by jury on all issues.

Dated: New York, New York
October 21, 2014

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(212) 581-0990